REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claims 1-17. Accordingly, claims 1-17 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections

In paragraph 1 of the Office Action, the Examiner objected to the drawings because the lines, letters, and numbers are not uniformly thick and well defined, clean, durable and black. The Applicant is submitting formal replacement drawings herewith. The Examiner's approval of the replacement drawings is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 102(b)

In paragraphs 2-3 of the Office Action, the Examiner rejected claims 1-6 and 10-13 under 35 U.S.C. § 102(b) as being anticipated by Alperovich (US 5,781,628). The Applicant has amended the claims to better distinguish the claimed invention from Alperovich. The Examiner's consideration of the amended claims is respectfully requested.

Alperovich discloses a system and method for selective restriction of ciphering. However, unlike the claimed invention, which selects an encryption mode from a plurality of modes, Alperovich merely operates as an on/off switch. In column 3, lines 12-15, Aplerovich states, "After consulting the particular flag for an area, a ciphering mode is determined *either restricting ciphering or allowing it* within that geographical or geopolitical area." (Emphasis added). Again, in column 4, lines 25 to 33, Alperovich states that the flag may be set to one to indicate that ciphering is available, or may be set to zero to indicate nonavailability. Again, in column 4, lines 57-62, Alperovich states that a one from table 34 represents the availability of legal encryption while a zero represents no encryption.

The independent claims of the present application (claims 1, 7, 10, and 14) have been amended to clarify that the encryption mode is selected from a plurality of

encryption modes in an encryption mode database. One such mode may be "no encryption", thereby providing the capability to turn off the encryption, thereby achieving the result achieved by Alperovich, but in a different way. Thus, while Alperovich can be likened to an on/off switch for a radio that plays only one station, the claimed invention can be likened to a combined switch and station selector that enables the radio to be tuned to different channels or turned off.

This is very different from the limited functionality of Alperovich, and is not taught or suggested by Alperovich. Independent claims 1 and 10 both recite that an encryption algorithm is selected from a plurality of encryption algorithms. Therefore, the allowance of claims 1 and 10 is respectfully requested.

Claims 2-6 and 11-13 depend from amended claims 1 and 10, respectfully, and recite further limitations in combination with the novel elements of the base claims. Therefore, the allowance of claims 2-6 and 11-13 is respectfully requested.

4.) Claim Rejections – 35 U.S.C. § 103(a)

In paragraphs 4-5 of the Office Action, the Examiner rejected claims 7-9 and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over Alperovich, in view of Sampei (US 5,732,349). The Examiner cited Sampei for showing the use of a mobile country code to identify a calling area. However, independent claims 7 and 14 have been amended as discussed above. Neither Alperovich nor Sampei disclose or suggest an apparatus or method of automatically selecting an encryption algorithm for use in a base transceiver station, in which the encryption algorithm is selected from a plurality of encryption algorithms. Therefore, the allowance of claims 7-9 and 14-17 is respectfully requested.
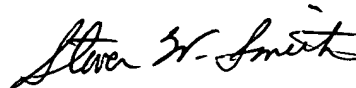
5.) Prior Art Not Relied Upon

In paragraph 6 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure. However, the Applicant's reading of these references has not revealed any teaching of an apparatus or method of automatically selecting an encryption algorithm from a plurality of encryption algorithms, as claimed by the Applicant.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-17.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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